

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

LINDA SHORT, OLIVIA PARKER,
ELIZABETH SNIDER, JENNIFER
DIPARDO, ANTHONY DIPARDO, SEANE
RONFELDT, JAMES TWIGGER,
GABRIELLE ALEXANDER, TAVISH
CARDUFF, BRIAN FRAZIER, CHAD
PERRY, WILLIAM PRESSLEY, JEANETT
SMITH, AND JANELL WIGHT on behalf of
themselves and all others similarly situated,

Plaintiffs,

V.

HYUNDAI MOTOR AMERICA, INC.,
HYUNDAI MOTOR COMPANY, KIA
AMERICA, INC., and KIA CORPORATION,

Defendants.

No. 2:19-cv-318-JLR

**STIPULATED MOTION TO
TRANSFER CASE TO THE U.S.
DISTRICT COURT FOR THE
CENTRAL DISTRICT OF
CALIFORNIA**

**NOTE ON MOTION CALENDAR:
MAY 23, 2022**

Pursuant to 28 U.S.C. § 1404(a), the parties submit this stipulated motion to transfer this case to the U.S. District Court for the Central District of California.

Section 1404(a) grants this Court discretion to transfer a case to another district. See *Jones v. GNC Franchising, Inc.*, 211 F.3d 495, 498 (9th Cir. 2000). It says: “For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to

1 any other district or division where it might have been brought or to any district or division to
 2 which all parties have consented.” 28 U.S.C. § 1404(a). “Litigation of related claims in the same
 3 tribunal is strongly favored.” *Cray, Inc. v. Raytheon Co.*, No. C15-1127JLR, 2016 WL 3254997,
 4 at *4 (W.D. Wash. June 13, 2016) (quoting *Amazon.com v. Cendant Corp.*, 404 F. Supp. 2d
 5 1256, 1261 (W.D. Wash. 2005)).
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7 The parties previously sought, and the Court granted, a stay of all deadlines pending
 8 resolution of the Class Settlement in *In re: Hyundai and Kia Engine Litig. II*, No. 8:18-cv-02223,
 9 which is proceeding in the Central District of California. *See Dkt. 107, 108*. At that time, the
 10 parties in *Engine II* believed they were nearing a nationwide class settlement in principle and
 11 anticipated moving for preliminary approval. Dkt. 107 at 1. The *Short* parties believed that a
 12 classwide settlement in *Engine II* could resolve the *Short* plaintiffs’ claims. *Id.*
 13

14 To facilitate that resolution, transfer is now appropriate. As indicated in a May 17, 2022
 15 stipulation filed in *Engine II*, the parties there have “reached a resolution in principle and are in
 16 the final stages of memorializing a comprehensive settlement agreement.” *Engine II*, Dkt. 64 at 1
 17 (May 17, 2022). To incorporate the *Short* plaintiffs into the ultimate proposed settlement, the
 18 parties in *Engine II* stipulated that counsel would “promptly move for transfer of *Short, et al. v.*
 19 *Hyundai Motor Company, et al.*, No. 2:19-cv-00318-JLR (currently pending in the Western
 20 District of Washington) to this Court for consolidation and resolution under the proposed class
 21 settlement.” *Id.*

22 The requirements of Section 1404(a) are met. Because transfer would facilitate the
 23 proposed settlement, it would serve the convenience of the parties and the interest of justice. The
 24 parties in this action consent to the transfer of this case to the Central District of California, and
 25 Defendants have not objected to personal jurisdiction there. The parties respectfully request that
 26

1 the Court grant this stipulated motion to transfer this case to the U.S. District Court for the
2 Central District of California.

3 DATED this 23rd day of May, 2022.
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26 *Attorneys for Plaintiffs*

JOINT MOTION TO TRANSFER CASE
Case No. 2:19-cv-318-JLR

1
2 **ORDER**
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4 Upon the stipulation of the parties, IT IS HEREBY ORDERED that this case is
5 transferred to the U.S. District Court for the Central District of California.
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8 IT IS SO ORDERED.
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10 Dated this 23rd day of May, 2022.
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14 JAMES L. ROBART
15 United States District Judge
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2 **CERTIFICATE OF SERVICE**
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4 I, Gretchen Freeman Cappio, hereby certify that on May 23, 2022, I electronically filed
5 the foregoing with the Clerk of the United States District Court for the Western District of
6 Washington using the CM/ECF system, which shall send electronic notification to all counsel of
record.

7 *s/ Gretchen Freeman Cappio*
8 Gretchen Freeman Cappio

9 4881-7530-9089, v. 1
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